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11 **UNITED STATES BANKRUPTCY COURT**

12

13 **DISTRICT OF NEVADA**

14

15 In re:

16 THE RHODES COMPANIES, LLC, aka  
17 "Rhodes Homes," et al.,

18

19 Reorganized Debtors

20 Case No.: 09-14814-LBR  
21 (Jointly Administered)

22 Chapter 11

23 **JAMES RHODES' NOTICE OF  
24 APPEAL**

25  Affects all Debtors

26  Affects the following Debtors

27

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29 Pursuant to 28 U.S.C. § 158(a) and Fed. R. Bankr. P. 8001 *et seq.*, James M. Rhodes  
30 ("Rhodes"), through counsel, hereby appeals from the *Order Sustaining Reorganized Debtors'*  
31 *Objection to James Rhodes' Entitlement to the Tax Claim Found in Proof of Claim No. 814-33*  
32 (the "Order") entered in this case by the Honorable Linda B. Riegle on November 16, 2010  
33 [Docket No. 1318], a true and correct copy of which is attached hereto.

34

35

36 The names of all parties to the order appealed from and the names, addresses, and  
37 telephone numbers of their respective attorneys are as follows:

38

1                   Party

2                   Reorganized Debtors

1                   Attorneys

2                   Nile Leatham  
3                   Natalie M. Cox  
4                   Kolesar & Leatham, CHTD  
5                   3320 West Sahara Avenue, Suite 380  
6                   Las Vegas, Nevada 89102-3202  
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10                   [ncox@klnevada.com](mailto:ncox@klnevada.com)

11                   Philip C. Dublin  
12                   Abid Qureshi  
13                   Meredith A. Lahaie  
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22                   Other interested parties to this appeal may include the following:

23                   U.S. Trustee

24                   Edward M. McDonald  
25                   Office of the U.S. Trustee  
26                   300 Las Vegas Blvd., So. STE 4300  
27                   Las Vegas, Nevada 89101  
28                   Telephone No. (702) 388-6600  
29                   E-Mail: [edward.m.mcdonald@usdoj.gov](mailto:edward.m.mcdonald@usdoj.gov)

30                   DATED this 30<sup>th</sup> day of November, 2010.

31                   /s/ Kevin N. Anderson

32                   

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33                   Kevin N. Anderson  
34                   FABIAN & CLENDENIN  
35                   Attorneys for James M. Rhodes

**EXHIBIT A**

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Entered on Docket  
November 16, 2010

Hon. Linda B. Riegle  
United States Bankruptcy Judge

NILE LEATHAM, ESQ.  
Nevada Bar No. 002838  
NATALIE M. COX, ESQ.  
Nevada Bar No. 007662  
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*Counsel for Reorganized Debtors*

*Counsel for Reorganized Debtors*

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

IN RE:

THE RHODES COMPANIES,  
LLC, aka "Rhodes Homes," *et al.*,

Reorganized Debtors.<sup>1</sup>

§ Case No. 09-14814-LBR  
(Jointly Administered)

§ Chapter 11

§ Hearing Date: 11/4/2010  
§ Hearing Time: 9:30 a.m. (PST)  
§ Courtroom 1

<sup>1</sup> The Reorganized Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, if applicable, are: Heritage Land Company, LLC (2918); The Rhodes Companies, LLC (3060); Rhodes Ranch General Partnership (1760); Tick, LP (0707); Glynda, LP (5569); Chalkline, LP (0281); Batcave, LP (6837); Jackknife, LP (6189); Wallboard, LP (1467); Overflow, LP (9349); Rhodes Ranch Golf and Country Club (9730); Tuscany Acquisitions, LLC (0206); Tuscany Acquisitions II, LLC (8693); Tuscany Acquisitions III, LLC (9777); Tuscany Acquisitions IV, LLC (0509); Parcel 20 LLC (5534); Rhodes Design and Development Corp. (1963); C&J Holdings, Inc. (1315); Rhodes Realty, Inc. (0716); Jarupa LLC (4090); Elkhorn Investments, Inc. (6673); Rhodes Homes Arizona, LLC (7248); Rhodes Arizona Properties, LLC (8738); Tribes Holdings LLC (4347); Six Feathers Holdings, LLC (8451); Elkhorn Partners, A Nevada Limited Partnership (9654); Bravo Inc. (2642); Gung-Ho Concrete, LLC (6966); Geronimo Plumbing, LLC (6897); Apache Framing, LLC (6352); Tuscany Golf Country Club, LLC (7132); Pinnacle Grading, LLC (4838).

1 Affects:  
2  All Debtors  
- Affects the following  
Debtor(s)

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**ORDER SUSTAINING REORGANIZED DEBTORS'  
OBJECTION TO JAMES RHODES' ENTITLEMENT TO THE TAX CLAIM  
FOUND IN PROOF OF CLAIM NO. 814-33**

7       Upon consideration of the pleadings filed by the parties with respect to this matter;  
8 and the Court having jurisdiction to consider the Reorganized Debtors' Objection<sup>2</sup> and the  
9 relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and the relief requested  
10 therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper  
11 before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having reviewed  
12 the Reorganized Debtors' Objection; the Court hereby finds and determines that, pursuant to  
13 Rule 3007 of the Federal Rules of Bankruptcy Procedure, due and proper notice has been  
14 provided to the holder of the Proof of Claim attached as Exhibit A to the Reorganized  
15 Debtors' Objection and all other parties entitled to notice; and no other or further notice is  
16 necessary; therefore IT IS HEREBY ORDERED THAT:

17       1. For the reasons stated on the record at the hearing held on November 4, 2010,  
18 the Tax Claim in the total amount of \$9,729,151 is hereby disallowed and expunged from  
19 the Debtors' claims register;

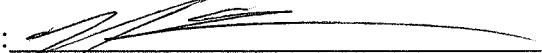
20       2.      With respect to the remaining claims, there will be a status conference on  
21 December 17, 2010 at 9:30 a.m., which counsel may attend telephonically; and

22       3.     This Court shall retain jurisdiction to hear and determine all matters arising  
23 from the implementation of this Order.

<sup>27</sup> <sup>2</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Objection.

1 PREPARED AND SUBMITTED BY:

2

3 By: 

4 NILE LEATHAM, ESQ.  
5 Nevada Bar No. 002838  
6 NATALIE M. COX, ESQ.  
7 Nevada Bar No. 007662  
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15 and

16 PHILIP C. DUBLIN (NY Bar No. 2959344)  
17 ABID QURESHI (NY Bar No. 2684637)  
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27 *Counsel for Reorganized Debtors*

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1    LR 9021(c) Certification:2    In accordance with LR 9021, counsel submitting this document certifies that the order  
3    accurately reflects the court's ruling and that (check one):4        The court has waived the requirement set forth in LR 9021(b)(1).  
5        No party appeared at the hearing or filed an objection to the motion.6        I have delivered a copy of this proposed order to all counsel who appeared at the  
7    hearing, and any unrepresented parties who appeared at the hearing, and each has  
8    approved or disapproved the order, or failed to respond, as indicated below [list each  
9    party and whether the party has approved, disapproved, or failed to respond to the  
10   document]:

<u>Party</u>	<u>Approved</u>	<u>Disapproved</u>	<u>Failed to Respond</u>
Edward M. McDonald, Esq., Office of the U.S. Trustee	_____	_____	X
Kevin N. Anderson, Esq.	X	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

11        I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order  
12    with the motion pursuant to LR 9014(g), and that no party has objected to the form or  
13    content of the order.14    # # #  
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